



## Waukesha County Criminal Justice Collaborating Council Alternative Interventions Committee Minutes Monday, January 14, 2019

### Members Present

Sam Benedict  
Tom LeBel  
Marla Bell

Hon. Michael Aprahamian  
Joan Sternweis  
Sue Oppen

Hon. Maria Lazar  
Duane Paulson

### Others Present

Rebecca Luczaj  
Amber Rumpf  
Shelby Maruszczak

Janelle McClain  
Hon. Laura Lau

Mary Wittwer  
Andrea Will

Benedict called the meeting to order at 12:01 p.m.

### Approve Minutes from November 12, 2018 Meeting

Motion: Lazar moved, second by Paulson, to approve the minutes of November 12, 2018. Motion carried unanimously.

### Discuss and Consider Committee Membership Changes

Motion: Lazar moved, second by LeBel, to replace Hon. Michael Aprahamian with Hon. Laura Lau, on the CJCC Alternative Interventions Committee. Motion carried unanimously.

Motion: Oppen moved, second by Bell, to add Shelby Maruszczak, Diversion Coordinator, to the CJCC Alternative Interventions Committee. Motion carried unanimously.

### Update on Act 33 DPA Referrals to the Day Report Center

Wittwer distributed and reviewed a document titled "DPA Status Report."

In response to a question from the committee, Oppen stated that even if an Act 33 participant is revoked from the program, the participant might be offered an Act 33 DPA again in the future. The statute requires the District Attorney's (DA) Office to offer the DPA, but the judge still has discretion on whether or not to approve it.

Aprahamian asked if the DA's Office has guidelines on revocation. Oppen responded that no, she has many attorneys in her office and they make independent decisions on their cases. Rumpf commented that the DA's Office has had very inconsistent decisions on DPA revocations, and that responses to violations seem to vary greatly from those in drug court. Aprahamian suggested that we could look at scheduling DPA's for status checks every 6 months in order to give defendants positive encouragement (similar to our process in drug court).

### Discuss Diversion Grant Implementation Progress

#### *Update on Diversion Coordinator Training/Next Steps*

Maruszczak has been hired and working in the DA's Office since January 7. This week, Maruszczak will be meeting with LeBel, as well as Luczaj and Oppen to start preparing for program implementation.

Maruszczak also attended DTC last week, and Oppen has encouraged her to attend as many DTC sessions as she can, as she will be screening for initial DTC program eligibility. DTC, Act 33, and any diversion or other DPA case will be Maruszczak's responsibility. She will screen the cases, and then WCS will further assess those who are initially eligible who appear to be a good match for a diversion or DPA. Maruszczak will then meet with the defendant and his/her attorney to review the diversion or DPA contract.

**Update on Case Manager Hiring Process**

Wittwer stated that Rachel Vazquez was offered the Diversion Case Manager position on Friday, and will begin on January 31.

**Update on Progress of Institutional Review Board (IRB) Approval**

LeBel reported that the University of Wisconsin-Milwaukee IRB approved the diversion project in December 2018; however, he may need to submit amendments in the future. The IRB ensures that the subjects (diversion program participants) are protected against coercion, ensures safe information sharing between organizations, and ensures that the subjects' information is kept confidential. Incentives will be available, such as Wal-Mart gift cards, for the participants to meet with LeBel.

**Other**

A policies and procedures manual for the diversion grant program will need to be developed as soon as possible, and provided to the grantor.

If the State Public Defender's (SPD) Office has any information that they would like to be sent out to defendants regarding representation, they should contact Opper. The DA's Office will send out the information, as well as provide the SPD a copy of what was mailed out.

Once the program is in place, Opper would like to attend a C/T judges' meeting to give them an overview of the project.

**Other Items for Discussion**

There were no other items for discussion.

**Discuss Agenda Items for Next Meeting**

- Review Diversion Program Implementation Plan

**Adjourn**

Motion: Paulson moved, second by Lazar, to adjourn the meeting at 12:59 p.m.